



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: April 26, 2010

CBCA 1892

XEROX CORPORATION,

Appellant,

v.

DEPARTMENT OF TRANSPORTATION,

Respondent.

Donald J. Walsh of Offit Kurman, Owings Mills, MD, counsel for Appellant.

Kimberly L. Moore, Office of the General Counsel, Department of Transportation, Washington, DC, counsel for Respondent.

DANIELS, Board Judge (Chairman).

ORDER

Xerox Corporation (Xerox) contracted to sell and lease duplicating machines to the Department of Transportation, and to provide supplies and services to maintain those machines. Xerox alleges that it provided the machines, supplies, and services, but that the agency did not pay the amount invoiced for them, \$70,854.81. Xerox claimed entitlement to that amount. It later appealed from the agency's contracting officer's deemed denial of the claim.

Xerox has now filed a notice to dismiss the appeal with prejudice, stating that the parties have settled the matter by payment of the amounts stated in the invoices at issue.

Accordingly, the appeal is **DISMISSED WITH PREJUDICE**.

STEPHEN M. DANIELS
Board Judge